

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

_____)	Case Number: 6:08-CV-3980-GRA
HILL HOLLIDAY CONNORS)	
COSMOPULOS, INC. d/b/a ERWIN-)	
PENLAND,)	
)	
Plaintiff,)	
)	
vs.)	
)	
JEFFREY GREENFIELD and)	
1 st APPROACH, LLC,)	
)	
Defendants,)	
_____)	

Defendants' Motion to Compel

Pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure, the Defendants, Jeffrey Greenfield and 1st Approach LLC, through their undersigned attorney, do hereby move this Court for an Order compelling Plaintiff to fully comply with Defendants' discovery request. In support of this motion and in accordance with Local Rule 7.04, Defendants would show unto the Court as follows:

1. In Plaintiff's Initial Disclosures dated February 17, 2009, it identified categories of documents, ESI and tangible things which Plaintiff said it intends to use to support its claims and defenses in this matter. See Exhibit "A," attached hereto.
2. Defendants' Request for Production dated February 18, 2009 was limited to the items identified by Plaintiff in the aforesaid Initial Disclosures. See Exhibit "B," attached hereto.
3. On March 20, 2009, Plaintiff filed a response to Defendants' Request for Production which contained four pages of objections to Defendants' request for the very documents

and ESI which Plaintiff identified in its Initial Disclosures, at the conclusion of which Plaintiff stated that it would make a production subject to the terms of a Protective Order. See Exhibit “C,” attached hereto.

4. Defendants hereby certify that they have attempted good faith consultations with Plaintiff in an effort to agree to the terms of a Protective Order, and to resolve this dispute without Court action, all to no avail. See Exhibit “D,” attached hereto.
5. As of this date, March 31, 2009, Defendants have received no documents, ESI or other tangible things from Plaintiff in response to their Request for Production, nor have Defendants received from Plaintiff a description of the “documents, communications, or tangible things not produced or disclosed” as required by Rule 26(b)(5)(A)(ii).

WHEREFORE, Defendants request an Order from this Court compelling the Plaintiff to immediately comply fully with their discovery obligations under the FRCP, and in response to Defendants’ Request for Production as set forth herein, and to Order Plaintiff to pay Defendants’ attorneys fees and costs incurred in this Motion.

Respectfully submitted,

The Law Office of P. Jeffrey North LLC



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March 31, 2009
Hilton Head SC

CERTIFICATE OF SERVICE

This is to certify that on March 31, 2009, the undersigned, attorney for the Defendant, served the above-shown Motion to Compel by email upon all counsel of record in this case.

The Law Office of P. Jeffrey North LLC

By:



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**March 31, 2009
Hilton Head Island, SC**